

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

UNITED STATES OF AMERICA

VS.

MURPHY JAY BERNARD

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No. 1:07-CR-214

**ORDER ADOPTING THE MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION**

The court ordered that this matter be referred to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The court has received and considered the Report of the United States Magistrate Judge filed pursuant to such order, along with the record, pleadings and all available evidence.

At the close of the revocation hearing, the Defendant, defense counsel and counsel for the Government, each signed a standard form waiving their right to object to the proposed findings and recommendations contained in the magistrate judge's report, consenting to revocation of supervised release and imposition sentence of twenty-four (24) months' imprisonment as to Count One and thirty-three (33) months' imprisonment as to Count Two to run concurrently with each other, with no supervised release to follow. This term of imprisonment shall also run concurrently with the thirty-five (35) year prison sentence he received in Jefferson County Cause No. 12-15320, *State of Texas vs. Murphy Jay Bernard*. The Defendant waived his right to be present with counsel and to speak at sentencing.

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct and the report of the magistrate judge is **ADOPTED**. It is therefore

ORDERED and **ADJUDGED** that the petitions are **GRANTED** and the Defendant's supervised release is **REVOKED**. Judgment and commitment will be entered separately, in accordance with the magistrate judge's recommendations.

SIGNED this the 28 day of May, 2015.

A handwritten signature in black ink, appearing to read "Thad Heartfield", written over a horizontal line.

Thad Heartfield
United States District Judge